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Tallahassee judge tosses lawsuit challenging voucher expansion

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TALLAHASSEE — A Leon County judge dismissed Wednesday a lawsuit filed in July that challenged a wide-reaching school-voucher expansion that state lawmakers passed on the final day of session.

Circuit Judge Charles Francis ruled that Florida Education Association member Tom Fassee, a high-school social-studies teacher in Lee County, did not have standing to challenge the law.

The Career and Professional Education Act began as an expansion of Florida's collegiate high-school program. But it morphed on the last day of the session with a 141-page amendment

that added a school-voucher expansion and creating personal-learning accounts for disabled students, thanks in part to incoming Senate President Andy Gardiner, R-Orlando.

Gardiner said in a statement he hoped the teachers' union would hold off on appealing or refiling the lawsuit because the personal learning accounts were already being awarded.

"It is likely that by the end of the week more than 1,000 students with unique abilities will have been awarded Personal Learning Scholarships Accounts for the 2014-15 school year. The last thing these students and their parents need is a politically motivated legal attack from union bosses financed by the paychecks of hardworking Florida teach-

ers," Gardiner said.

The FEA contended the law violated Florida's constitutional single-subject requirement. The union particularly objected to the voucher language, which expands families who could qualify for the corporate tax scholarship to attend private schools.

"We're disappointed in the judge's decision," FEA Vice President Joanne McCall said in a statement. "We wish the judge had taken up the merits of the case, because it's clear that the Legislature overstepped its authority in passing this legislation."

The FEA said it would continue to pursue a separate legal challenge filed in August that challenged the legality of the voucher program.