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Tax credit scholarship program prompts civil rights debate



FEA president Joanne McCall

By Jessica Bakeman

TALLAHASSEE — Advocates on both sides in a debate over a voucher-like state program that allows poor children to attend private schools say they are seeking to protect educational opportunities for racial minorities.

National black and Hispanic education reform advocacy groups, as well as Florida-based coalitions of minority clergy, are pressuring the statewide teachers' union to drop its legal challenge of the program, through which corporations get a 100-percent tax credit for donations to nonprofits that grant private-school scholarships to low-income students.

The groups say the program offers opportunities for high-quality education to predominantly minority children who wouldn't get it otherwise. Meanwhile, the Florida Education Association and its ally, the Florida chapter of the NAACP, say the program creates an unconstitutional parallel and inferior educational system that diverts resources from the schools that need it most — those that serve low-income, majority minority student populations.

A Florida-based coalition of Hispanic pastors — a group organized by the national advocacy organization Hispanic Council for Reform and Educational Options — will hold a press conference Tuesday morning in Orlando asking the FEA to withdraw its lawsuit, calling it in a press release an “attempt to deny justice and opportunity” to minority children. Held on Three Kings Day — a Christian holiday that celebrates the three wise men's journey to bring gifts to the baby Jesus — the press conference will feature a symbolic procession of costumed children and camels bringing “the gift of education.”

The event is scheduled to begin at 9:45 a.m. outside the Melao Bakery, about 10 miles south of downtown Orlando.

The event comes three weeks after the national Black

Alliance for Educational Options filed an amicus brief with the First District Court of Appeal, where the union has appealed a lower court's rejection of the 2014 lawsuit.

“The insufficiency of Appellants' alleged injury is highlighted when contrasted with the harm Appellants threaten to visit upon low-income, mostly Black and Hispanic students if their complaint prevails,” the organization wrote in the brief, which was supported by a statewide clergy group, Florida African American Ministers Alliance.

A Leon County Circuit Court judge ruled in May that the FEA did not have legal standing to bring the complaint (and later made a similar ruling in a separate challenge of the scholarship program), but the union is hoping to be successful on appeal.

Like other teachers unions nationally, the FEA argues tax credit scholarship programs siphon funding from traditional public schools.

Rather than allowing corporations to divert their tax dollars to support the scholarship program, the state should focus its resources on its lowest-performing schools, said Joanne McCall, the union's newly elected president and former executive vice president. For example, the governor and the Legislature could allocate funds that would allow struggling schools to offer social services such as health care or provide incentives that would help attract experienced teachers.

Instead, the scholarship program is “taking money away from the general revenue, which could be put into public schools,” she said. “If we're saying we want to help minority students and all students, we should be putting our money where our mouth is.”

But proponents of the scholarship program have argued it has helped to relieve overcrowding in public schools, which have struggled with limited infrastructure as the state's population grows. Also, the program saves the state money, because the maximum scholarship award available is less than what the state spends per-pupil on students in public schools.

Pastor Abner Adorno of the Living Word Church in Orlando, a member of the Florida Coalition of Hispanic Pastors in Defense of School Choice, said schools like the one his church operates help meet the needs of a growing population of Hispanic immigrants who have limited English proficiency.

“In our areas, immigration is huge. People are moving from Puerto Rico and all areas of Latin America,” he said. “The schools don't have the infrastructure to support the growth at all. All the schools are overpopulated. I don't believe we are taking away any type of funding. On the

contrary, we are a solution to the problem.”

Rev. R.B. Holmes, a leader of the Florida African American Ministers Alliance, said minority parents need more educational choices for their children. Holmes runs a private school in Tallahassee and previously operated a publicly funded charter school in the capital city.

“Black males, particularly, drop out of school at an alarming rate,” Holmes, who has endorsed former Gov. Jeb Bush, a chief proponent of the scholarship program, in his Republican presidential bid, said in an email. “The School of Choice Movement provides parents with the opportunity to have their children educated in alternative educational settings, conducive to their children’s learning style.”

Adora Obi Nweze, president of the state’s NAACP chapter, said the group opposes the scholarship program

because Florida’s children do not have equal access to the opportunity.

Of the state’s nearly 3 million school children, about 70,000 are now attending private schools with the tax-credit funded scholarships. About 38 percent of scholarship recipients are Hispanic, and 30 percent are black. The average household income for participating families is \$25,000.

“All children cannot go to a charter school, or they can’t have a voucher, so you’re picking and choosing,” Nweze said. “And that is a policy we can’t support.”

If only some children have access to an educational program, “that’s not good enough for us,” Nweze said. “That’s a low bar. That’s a real low bar. That is not good enough. It has to be for everybody.”