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MLK III Leads March in Support of Florida School Vouchers, Tapping into Civil Rights Legacy



By Naomi Nix

Two years ago, Demetrius Cherry was running out of options. After losing his sales job, his family could no longer afford their rental home and were forced to shuffle between staying with friends and temporary housing. What Cherry really wanted in those days was to put all four of his children together in one good school.

Cherry said his wish came true after he learned about Florida's Tax Credit Scholarship Program, which grants low-income families scholarships to attend private schools and public schools outside of their designated districts. Cherry's children ended up at the Tampa Bay Christian Academy, a small private school that teaches biblical principles alongside language arts and math.

"It's been a saving grace for me and my family," he said.

The desire of poor families for better schools — what some see as the civil rights battle of the current era — will find its link to Martin Luther King Jr.'s struggle for racial equality when scholarship families, school choice advocates, some 100 ministers and Martin Luther King III come together for a march on the Florida state capitol. The event takes place Tuesday, a day after the national holiday honoring King, and is expected to draw up to 10,000 people.

"You need to be there," King III said in a video encouraging parents to participate. "It will be an historic occasion."

The mass showing in support of the tax credit vouchers comes as the program is being challenged in the courts by teachers unions and questioned by some within the black community.

Adora Obi Nweze, president of the Florida State Conference of the NAACP, told the Pensacola News Journal that the organization has historically backed policies that strengthen public schools. The conference supports the lawsuit to undo the program.

"The NAACP has historically taken a position in support of public schools," Nweze said in a telephone interview. "We don't support any effort to drain money from public schools. And while it (the scholarship program) in fact, does try to support the best form of education for students, research has not proven that."

Organizers of the march dispute that, saying scholarship students show consistent annual gains equal to those of students of all income levels nationally. They hope to make a strong statement that the program gives poor students trapped in failing schools an opportunity to thrive academically in a different setting.

“The purpose of the rally is to give a voice to the families who are outraged that the union would ask the courts to take away their scholarships,” emailed John Kirtley, chairman of Step Up For Students, a nonprofit that awards the scholarships. “They want to show the country they are so outraged, they are willing to travel as long as 12 hours overnight to march in protest of this suit.”

Tuesday’s march will begin at the Tallahassee Civic Center and make its way toward a stage near the capitol. Other organizers include the Black Alliance for Educational Options, Hispanic Council for Reform and Educational Options and the American Federation for Children.

The scholarship program, begun under former Florida Gov. Jeb Bush, faced criticism from the beginning that it diverted taxpayer money away from needy public schools to bolster religious and private schools that are unregulated.

“Florida’s voucher programs are a risky experiment that gambles taxpayers’ money and children’s lives,” Joanne McCall, president of the Florida Education Association, the state’s largest teachers union, said in 2014. “Our state’s taxpayers and students would be better served by investing to improve our lowest performing schools and helping all of the students who attend them.”

Kirtley countered that five independent groups, including two state agencies, have reported over the past decade that the scholarship program actually saves tax money that can be used to enhance traditional schools.

Under the program, businesses receive tax credits for making contributions to a non-profit organization that, in turn, gives scholarships to needy students to attend private schools or a Florida public school outside the student’s district.

To secure a full scholarship, the student must qualify for Florida’s free and reduced-priced lunch program, which means a family of four can make up to around \$44,000 a year though the average family of that size in the program makes about \$25,000, according to Step Up For Students.

During the 2014-15 school year, \$344.9 million dollars in scholarships were granted to 69,950 students enrolled in 1,533 participating Florida private schools, according to the state Department of Education.

The program was preceded by Florida’s former Opportunity Scholarship Program, first enacted by the state legislature in 1999, which gave students in failing schools scholarships to attend private schools and higher-performing public schools. The National Education Association and the American Federation of Teachers sued, alleging that it gave public money to religious

schools and violated the state’s duty to provide a uniform and high-quality public school system for all students. In 2006, the Florida Supreme Court agreed and ruled the private school option in the program unconstitutional.

As the courts were deciding that case, Florida lawmakers put forth another voucher program that relied on awarding tax credits to companies that donated to the growing scholarship fund for poor students. In 2014, the state legislature approved a tweak to the student eligibility criteria, allowing partial scholarships for students from more middle-class families — those with annual incomes up to about \$60,000 for a family of four — once the demand of poor families was met.

That has not happened yet and there are more low-income families applying than scholarships that can meet the need, Step Up For Students Chairman Kirtley said.

Later that year, the Florida Education Association, Florida Association of School Administrators (FASA) and the Florida School Boards Association (FSBA) filed a lawsuit challenging the constitutionality of the tax credit program.

They reiterated their past arguments: that most of the scholarships went to religious schools, violating religious freedom laws, and the program diverted public funds away from public schools, preventing the state from providing an adequate and uniform public school system.

The state moved to dismiss the lawsuit, arguing the scholarships weren’t public funds because they didn’t touch the government’s hands. Last February, Circuit Court Judge George Reynolds agreed to dismiss the complaint, saying the plaintiffs had no basis to challenge the scholarships. Last June, the union appealed that decision.

“If parents and teachers don’t have the right to challenge this lawsuit, who does?,” McCall, of the Florida Education Association, said in a statement.

But count Cherry as one parent who sees his rights differently. He said Tampa Bay Christian Academy has significantly improved the lives of his children who are in the 1st, 2nd, 5th and 10th grades.

His son, Jaedin Cherry, 15, said it took him some time to get used to the uniforms and stricter rules at his private religious school but now he is more committed to going to college after he graduates.

“They really push you that you can’t always party all the time. You have to hit the books,” he said. “I take that really seriously now.”

(Disclosure: The Seventy Four’s editor-in-chief Campbell