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Black ministers ask NAACP to drop fight against Florida Tax Credit Scholarship program

By Heather Kays

A coalition of more than 100 African-American ministers in Florida formed to ask the NAACP to withdraw from a lawsuit against the Florida Tax Credit Scholarship program.

The lawsuit brought by the Florida Education Association, the state NAACP chapter, the League of Women Voters and other groups challenges the constitutionality of the program, which now serves about 78,000 students from low-income families.

Last year, a Tallahassee judge dismissed the case, finding the groups did not show that the program harmed public schools and therefore had no standing to bring the case.

On Tuesday, oral arguments took place on the appeal before a three-judge panel of the First District Court of Appeal. The teachers union and other groups claimed the program draws students away from traditional public schools, which then redirects funding away from traditional public schools.

Pastor Mark Coats of Grace of God Baptist Church in Miami is part of coalition asking the NAACP to drop the lawsuit.

“I’m not attacking the NAACP or their

accomplishments in the past,” Coats told Watchdog.org. “But they’re on the wrong side of this one.”

“It’s been tried and it works. This is not a hypothetical,” said Coats.

Jay Lefkowitz, an attorney representing scholarship parents, said Tuesday that the teachers union and other groups would not only have to claim injury but also show the tax credit scholarship program had caused the injury. Lefkowitz pointed out that has not happened and said those challenging the program were relying on “rank speculation.”

John Kirtley, chairman of Step Up For Students, which provides tax credit scholarships for low-income students in Florida, is optimistic about the outcome.

“We are extremely confident we will prevail, since the money never reaches the state treasury,” said Kirtley. “No state Supreme Court has ever invalidated a tax-credit scholarship program. Even the U.S. Supreme Court ruled that the teachers’ union had no standing to sue in an almost identical case from Arizona.”