

Diane Ravitch—Kentucky: Reactions to Supreme Court Ruling Against Vouchers

In a December 23 blog, Diane Ravitch provided information about the Kentucky voucher case. This case is pertinent to Ohio.

Today is the anniversary of the Coalition's filing of the voucher case in Ohio.

We received a wonderful holiday present on December 16 when Franklin County Common Pleas Court Judge Jaiza Page ruled against the State's Motion to Dismiss and allowed all five of our claims to go forward.

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[By dianeravitch](#)

[December 23, 2022](#) //

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Last week, the Supreme Court of Kentucky declared a voucher program unconstitutional. The legislature is controlled by Republicans, the Governor is a Democrat. The [ruling was met with delight by friends of public schools](#).

A Kentucky Supreme Court judge [struck down the state's](#) so-called school choice program Thursday.

The state's highest court [unanimously ruled House Bill 563](#), officially called the Education Opportunity Account Act, as unconstitutional.

The legislation creates an almost dollar-for-dollar tax credit for Kentuckians who donate to scholarship-granting educational nonprofit organizations.

The measure sparked controversy last year and narrowly passed the Kentucky General Assembly with a 48-47 vote in the House. Kentucky Gov. [Andy Beshear](#) (D) vetoed the bill, but both the state House and Senate overrode the veto.

Opponents of the bill argued the measure would divert tax money from Kentucky public schools, while supporters said the measure would help open up new educational opportunities for families.

In the ruling, judges agreed with the bill's critics, stating that the substance of the bill was "obvious."

"The Commonwealth may not be sending tax revenues directly to fund nonpublic schools' tuition (or other nonpublic school costs) but it most assuredly is raising a 'sum... for education other than in common schools," the ruling states.

Eddie Campbell, president of the Kentucky Education Association, a labor group that represents thousands of educators in the state, applauded the court's decision, calling the ruling a "victory" for the state's public schools and public school students.

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“It’s always been clear to the plaintiffs and their supporters that the Kentucky Constitution prohibits any attempt to divert tax dollars from our public schools and students without putting the question to voters,” Campbell said in a statement.

“We simply can’t afford to support two different education systems — one private and one public — on the taxpayers’ dime, and this ruling supports that concern. This decision is proof that the courts continue to serve as an important check against legislative overreach,” he added.

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